

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2560 of 1990

Date of decision: 15-9-97

For Approval and Signature

The Hon'ble Mr. Justice S. K. KESHOTE

1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

VITHALBHAI B PARMAR

Versus

STATE OF GUJARAT

Appearance:

None present for Petitioners

None present for Respondent No. 1, 2

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 15/09/97

ORAL JUDGEMENT

The petitioners, holding the post of Deputy Mamlatdars, filed this special civil application and challenge has been made to the Circular annexure-L dated 3-1-1990, having apprehension of their reversion from the said post to those of feeder posts. This Court has protected the petitioners by grant of interim relief and as such all these years the said circular has not been given effect to. Dispute regarding seniority in the feeder cadres to which the petitioners belong has already been decided by Division Bench of this Court. In pursuance of the decision of this Court final seniority list has been prepared. None of the parties is present in court today to throw any light as to ultimately what position has been given to the petitioners in the final seniority list of feeder cadres. Be that as it may. The impugned circular was not given effect to and as such no useful purpose will be served now to permit the respondents to give effect to the same, more so when subsequent developments which have taken place after filing of this special civil application have not been brought on record by either of the parties. The interest of justice will be met in case the petition is disposed of with the direction that in case the respondents consider that the impugned circular is to be given effect to, before giving effect to the same the petitioners shall be afforded an opportunity of hearing. The petition and rule stand disposed of accordingly. No order as to costs.

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